

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yu Ren et al.



Serial No. 10/607,031

Filed: June 26, 2003

For: ACTIVE SALT FORMS WITH TYROSINE KINASE
ACTIVITY

Art Unit: _____

Examiner: _____

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By

Date

11/3/03

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5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Dianne Brown

Attorney For Applicant(s)

Reg. No. 42,068

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-1249

Date: November 3, 2003

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COMPLETE IF KNOWN

Application Number	10/607,031
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First Named Inventor	Yu Ren et al.
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Group Art Unit

Examiner Name

Attorney Docket Number	21148
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Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
/		DE	19548415		Bayer AG	06/22/1997
		PCT	WO 01/56567		Novo Nordisk A/S	08/09/2001
		PCT	WO 01/70738		Merck Frosst Canada & Co.	09/27/2001
		PCT	WO 01/17995		Merck & Co., Inc.	03/15/2001
		PCT	WO 99/65884		Bristol-Myers SquibbCo.	12/23/1999
		PCT	WO 99/21845		Agouron Pharmaceuticals, Inc.	05/06/1999
		PCT	WO 98/32753		Merck & Co., Inc.	07/30/1998

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
/		J. Rak et al. Cancer Research, 55:4575-4580, 1995
/		G. Gasparini and A.L. Harris, J. Clin. Oncol., 1995, 13:765-782
/		M. Toi et al., Japan. J. Cancer Res., 1994, 85:1045-1049
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/		A. Amirkhosravi et al., Platelets, 10:285-292 (1999)
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/		Brockelsby et al., Laboratory Investigation 79:1101-1111 (September 1999)
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/		Matsuyama et al., J. Neurol. Sci. 186:75-79 (2001)
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
/		Stephen K. Smith, Trends in Endocrinology & Metabolism, Vol. 12, No. 4, pp. 147-151, May/June 2001
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		Rajesh K. Jain, Nature Medicine, Vol. 7. No. 9, pp. 987-989 (September 2001)
		Giulio Jori, Lasers Med. Sci., 1990; 5: 115-120
		Chuannong Zhou, J. Photochem. and Photobiol. 1989; 3: 299-318
		Hendrich et al., Knee Surg Sports Traumatol Arthroscopy 5: 58-63 (1997).
		Hall et al., Am J Hum Genet 61:785-789, 1997
		Li et al., Gene Therapy, 1998; 5:1105-1113
		Fathallah-Shaykh et al., J Immunol 2000; 164:217-222
		Dougherty et al., J. Natl. Cancer Inst., 1998, 90(12): 889-905
		Van Bruggen et al., J. Clin. Invest., 104:1613-1620 (1999)
		Gerber et al., Nature Medicine, Vol. 5, No. 6, pp.623-628, 1999
		David A. Greenberg, Drug News Perspect 11(5):265-270 (1998)
		Nakagawa et al., FEBS Let. 473:161-164 (2000)
		M. Shibuya et al., Oncogene, Vol. 5, pp. 519-524 (1990)

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Stem Cells, Vol. 12, pp. 1-6 (1994), by T. R. Burke, Jr.

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Abstract, Pharmacol. Res. Commun., (1982), 14(4), 359-68, M. Tandon, et al.

Abstract, Pharmazie (1975), 30(3), 141-7, G. Wagner, et al.

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